



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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November 25, 2014

Mr. George Keith Martin
Rector, Board of Visitors
The University of Virginia
One James Center
901 East Cary Street
Richmond, Virginia 23219

Dear Rector Martin:

The Office of Attorney General has conducted an extensive search to find a highly qualified firm that has the independence, objectivity, philosophy, and diversity of experiences and perspectives to conduct an unimpeachable investigation while serving as independent counsel to the University of Virginia Board of Visitors.

A multi-disciplinary team from the firm of O'Melveny & Myers, including education law and Title IX compliance experts, former prosecutors, and internal investigations specialists, will conduct a thorough investigation and review of issues surrounding sexual violence at the University of Virginia and report its findings to the Board.

The team will investigate the University's response to the specific 2012 allegations described in *Rolling Stone* magazine, including whether responsible parties at the University met their legal obligations and the needs of both the survivor and the University community.

The team will also evaluate the University's entire structure of policies and procedures for preventing sexual violence and handling reports of sexual violence, both for legal compliance and for effectiveness in meeting the needs of students.

Finally, the team will assist the Board in determining what cultural and institutional changes must be made within the University community to make it clear that sexual violence will never be tolerated, and to create a supportive environment for survivors who come forward to report sexual violence.

O'Melveny & Myers' extensive and diverse resources will be available as they conduct their investigation and review. The leadership team for the review is expected to include:

- **Walter Dellinger**, former Assistant United States Attorney General and head of the Office of Legal Counsel at the U.S. Department of Justice, and former acting Solicitor General of the United States. Dellinger successfully argued for the plaintiffs in *Jackson v. Birmingham Board of Education*, a landmark case before the U.S. Supreme Court which expanded the protections of Title IX to prevent retaliation against those who report sex discrimination.
- **Danielle Gray**, former Associate Counsel to the President, Senior Counsel in the Department of Justice, and Cabinet Secretary for President Barack Obama. She was a member of the White House Council on Women and Girls, the White House Task Force to Protect Students from Sexual Assault, and worked across departmental and agency boundaries on federal policy responses to sexual assault on campuses and within the military. She is currently one of four leads conducting an independent review of the U.S. Secret Service and security of the White House compound, a review that is scheduled to report its findings by December 15.
- **Apalla Chopra**, a nationally recognized expert in education, labor, and employment law who has more than 20 years of experience working with both public and private educational institutions. She has particular expertise advising universities on policies and procedures related to the prevention and response to reports of sexual violence, conducting sensitive internal investigations, and leading Title IX and Clery Act compliance reviews.

The firm has been notified that the Commonwealth intends to engage them for this work and the terms of engagement are currently under development. Their first task will be to create a comprehensive work plan and a timeline of deliverables that reflects the urgent nature of the Board's needs.

We are confident we have found highly qualified independent counsel that deeply understands the complexities of campus sexual violence, the urgency and seriousness of the task before them, and the need to give the Board an honest and accurate accounting.

Sincerely,



Cynthia Hudson
Chief Deputy Attorney General